

MEMORANDUM

DATE: JUL 31 1985

TO: File/Enforcement Confidential

FROM: Kirk Macfarlane

SUBJECT: Medley Site
National Starch and Chemical - Evidence

This memo examines National Starch's response of June 28, 1985 to EPA's Section 104(e) letter. In that response National Starch stated that they never sent waste to Medley farm, but rather sent waste to the permitted Love Springs facility. Even if some waste went to Medley, National Starch concludes that it was non-hazardous. The following outlines the weaknesses of their position.

First, it is not possible for their waste to have gone to Love Springs. The Love Springs facility was only permitted for about six weeks in 1976. The invoices National provided showed disposal of their waste from the years 1974-1976. In addition, National Starch stated that they dealt with Medley's Concrete who they say operated Love Springs. In fact it was Piedmont Industrial Services (owned by Clyde Medley) that had the Love Springs permit. The Medley Farm site was operated by Medley's Concrete Works (See Milliken 104(e) response). Therefore it seems obvious that National's waste went to the Medley Farm site.

Second, National states that their waste was non-hazardous. This bald assertion is unsupported by the invoices we have received. Nowhere on the invoices is there an indication as to the nature of the waste, although it does appear that much of it was emulsion waste (tank loads). I pulled their Part A to determine what wastes they now dispose of. They are the following:

U007	Acrylamide
U147	2,5 Furandione
U220	Toluene
U009	Acrylonitrile
U154	Methyl alcohol
U239	Xylene
U122	Formaldehyde
U162	Methyl methacrylate
U001	Ignitable waste

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From the Part A it is apparent that National disposes of a variety of hazardous wastes. Assuming that these wastes had to be disposed of in the past as well, they may have been disposed of at Medley. In addition, I have been told that the emulsion waste itself may be contaminated with various hazardous constituents. Given the foregoing facts, there is good reason to believe that National disposed of hazardous substances at the Medley site. Furthermore, the disposal of the tankers of waste at the Medley site could only have been by draining the tankers into the lagoons on site, posing a serious risk to the groundwater at the site.

Both toluene and vinyl chloride (a likely constituent in emulsion waste) were found in the pond samples taken at the site. Therefore, we may have a match between National Starch and the wastes disposed of at the Medley site.